

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

CARRIE DAVIDSON, Power of Attorney)	
for LYNN IKER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-10-84-D
)	
DUNCAN REGIONAL HOSPITAL,)	
)	
Defendant.)	

ORDER

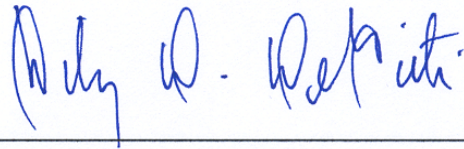
The Court has examined the Notice of Removal, filed January 27, 2010. It is based on a state court petition filed by Carrie Davidson that purports to assert employment discrimination claims of another individual, Lynn Iker, under a durable power of attorney. It does not appear Carrie Davidson is an attorney, but it appears she is attempting to file suit on Lynn Iker's behalf, acting as an attorney-in-fact.

In federal court, "parties may plead and conduct their own cases personally or by counsel." *See* 28 U.S.C. § 1654. A non-attorney cannot represent another *pro se* litigant. *See Perry v. Stout*, 20 F. App'x 780, 782 (10th Cir. 2001). In proceedings before a district court, every pleading must be signed by either an attorney of record or a party personally, if the party is unrepresented, and the court "must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention." *See* Fed. R. Civ. P. 11(a). Claims of a *pro se* plaintiff who has not signed a complaint or any pleading filed in a case are subject to dismissal. *See Lawton v. Medevac Mid-America, Inc.*, 138 F.R.D. 586, 588 (D. Kan. 1991).

Under the circumstances shown by the record, it appears that Lynn Iker's pleading is not signed in the manner required by federal court rules. If the omission of a proper signature on the petition is not promptly corrected in accordance with this Order, the action may be subject to dismissal.

IT IS THEREFORE ORDERED that a pleading signed by Lynn Iker personally or by a licensed attorney appearing on behalf of Lynn Iker shall be filed within 21 days from the date of this Order.

IT IS SO ORDERED this 8th day of February, 2010.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE